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FACSIMILE TRANSMITTAL

TO

Name: OIPE CUSTOMER SERVICE
Firm: U.S. Patent and Trademark Office
Fax No.: 1-703-746-9195
Phone No.: 1-703-305-9282
Subject: Petition Under 37 CFR. 1.10(c)
Your File No.: USSN 10/693,609

FROM

Name: Danielle M. Pasqualone
Phone No.: 650-849-6778
Fax # Verified by: Gina Simon
Pages (incl. this): 13
Date: March 9, 2004
Our File No.: 07414.0075-00000

Confirmation Copy to Follow: No

Message:

**Attention: OFFICE OF INITIAL PATENT EXAMINATION (OIPE)
URGENT - INCORRECT FILING DATE**

U.S. Application Serial No. 10/693,609
Inventors: Ernest FRIEDLANDER et al.
Filed: October 23, 2003

Title: METHODS AND COMPOSITION FOR DETECTING TARGETS

We enclose:

1. Petition Under 37 CFR 1.10(c) to Correct Filing Date and Request For Corrected Filing Receipt;
2. Marked-up copy of incorrect Filing Receipt; and
3. Copy of Express Mail Label, Postcard, Application Transmittal, and pages 1 and 2 of U.S. Patent Application No. 10/693,609, filed October 23, 2003.

If there is a problem with this transmission, notify fax room at (650) 849-6602 or the sender at the number above.

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I hereby certify that this correspondence is being sent via facsimile on March 9, 2004, to OIPE Customer Service at facsimile number (703) 746-9195, located at the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Gina M. Simon**PATENT**

Customer No. 22,852

Attorney Docket No. 07414.0075-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Ernest FRIEDLANDER et al.)	Group Art Unit: 1645
Application No.: 10/693,609)	Examiner: Not yet assigned
Correct Filing Date: October 23, 2003)	
For: METHODS AND COMPOSITION)	
FOR DETECTING TARGETS)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
OFFICE OF INITIAL PATENT EXAMINATION

Sir:

PETITION UNDER 37 CFR 1.10(c) TO CORRECT FILING DATE
AND REQUEST FOR CORRECTED FILING RECEIPT

We enclose a marked-up copy of the Filing Receipt for the above-identified patent application. The corrected filing date, domestic priority data, and corrected inventor information are indicated on the marked-up copy.

1. Please change the filing date to October 23, 2003.

We attach a true copy of the Express Mail Label No. EV 351294240 US for this application. The handwritten "Date In" and the U.S. Postal Service date stamp both read October 23, 2003.

We also attach a copy of the returned postcard, bearing Express Mail Label No. EV 351294240 US and dated October 23, 2003. The label that the USPTO affixed to the original postcard incorrectly reads 102403. As indicated on the enclosed copy, the returned postcard with the USPTO label was received by Finnegan, Henderson, Farabow, Garrett, and Dunner, LLP, on November 7, 2003.

We also enclose copies of the application transmittal and the first page of the application itself, showing that Express Mail Label No. EV 351294240 US was placed on those documents prior to the mailing by "Express Mail."

In view of all of this information, applicants petition the Commissioner to accord this application a filing date of October 23, 2003.

2. Under "Domestic Priority data as claimed by applicant," please indicate that the present application claims the benefit of U.S. Provisional Application No. 60/421,035, filed on October 23, 2002. The enclosed copies of the transmittal and the second page of the application both indicate a claim for the benefit of that provisional application.

3. Please change the information under "Applicants" as follows:

- a. Please change "Shirley Johnson" to "Shirley J. Johnson."
- b. Please add the residence for each inventor, as indicated.

We respectfully request that you issue a Corrected Filing Receipt as soon as possible.

If there is any fee due in connection with this Request For Corrected Filing
Receipt, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 9, 2004

By: *Danielle Pasqualone*
Danielle M. Pasqualone
Reg. No. 43,847



UNITED STATES PATENT AND TRADEMARK OFFICE

MPB/DMP

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FL FEE REGD	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/693,609	10/24/2003	1645	0.00	07414.0075-00000	14	55	9

Paul Barker
 Finnegan, Henderson, Farabow,
 Garrett & Dunner, L.L.P.
 1300 I Street, N.W.
 Washington, DC 20005-3315

CONFIRMATION NO. 6477

FILING RECEIPT

OC000000011922499

Date Mailed: 02/19/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

J. — Ernest Friedlander, Residence Not Provided; San Francisco, CA
 Shirley Johnson, Residence Not Provided; San Francisco, CA
 Sabine Short, Residence Not Provided; Dublin, CA
 H. Michael Wenz, Residence Not Provided; Redwood City, CA

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/421,035 10/23/2002

Foreign Applications

UNITED STATES OF AMERICA PCT/US02/33801 10/23/2002

If Required, Foreign Filing License Granted: 02/06/2004

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Methods and composition for detecting targets

Preliminary Class

435

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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In Re Application of: Ernest FRIEDLANDER et al.

Application No.: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Filed: October 23, 2003

Examiner: Not Yet Assigned

For: METHODS AND COMPOSITION FOR DETECTING TARGETS

1. Transmittal Letter (3 pages, pages 1-3);
2. Specification - 159 pages, including one title page (not numbered), specification (122 pages, pages 2-123), claims (35 pages, pages 124-158; claims 1-55), and abstract (1 page, page 159); and
3. Drawings - 14 sheets (Figures 1-14).

Dated: October 23, 2003

Docket No.: 07414.0075-00000

MPB/DMP/lch - Mail Drop: Palo Alto

EXPRESS MAIL LABEL
NO. EV 351294240

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FINNEGAN, HENDERSON, FARABOW,
GARRETT AND BUNNER, LLP



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October 23, 2003

ATTORNEY DOCKET NO. 07414.0075-00000
CUSTOMER NO. 22,852

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label: EV 351284240 US
Date of Deposit: October 23, 2003
I hereby certify that this correspondence (including the Specification and Application Drawings described in items 1 and 2 below) is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Linda Henson

Linda Henson

New U.S. Patent Application
Title: METHODS AND COMPOSITION FOR
DETECTING TARGETS
Inventors: Ernest FRIEDLANDER et al.

Sir:

We enclose the following papers for filing in the United States Patent and Trademark Office in connection with the above patent application.

1. Specification - 159 pages, including one title page (not numbered), specification (122 pages, pages 2-123), claims (35 pages, pages 124-158; claims 1-55), and abstract (1 page, page 159); and
2. Drawings - 14 sheets (Figures 1-14).

Commissioner for Patents
October 23, 2003
Page 2

FINNEGA.
HENDERSON
FARABOW
GARRETT &
DUNNER

3. The filing fee is calculated as follows:

Basic Application Filing Fee					\$770	\$ 770.00
	Number of Claims		Basic	Extra Claims		
Total Claims	95	-	20	75	x \$18	\$ 1,350.00
Independent Claims	9	-	3	6	x \$86	\$ 516.00
<input checked="" type="checkbox"/> Presentation of Multiple Dep. Claims					+\$290	290.00
Subtotal						\$ 2,926.00
Reduction by 1/2 if small entity						-
TOTAL APPLICATION FILING FEE						\$ 2,926.00

Applicants claim the right to priority based on U.S. Provisional Patent Application No. 60/421,035, filed October 23, 2002.

Applicant claims the right to priority based on PCT International Application No. PCT/US02/33801, filed October 23, 2002.

Please address all correspondence with respect to this application to:

Paul Barker
Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
1300 I Street, N.W.
Washington, D.C. 20005-3315

This application will be completed in accordance with 37 C.F.R. § 1.53(f) upon receiving a Notice to File Missing Parts of Application. Applicants await notification from the U.S. Patent and Trademark Office of the time set for filing the Filing Fee and Declaration.

Commissioner for Patents
October 23, 2003
Page 3

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER

Please accord this application an application number and filing date.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Danielle Pasqualone
REG NO. 43,847 for Paul Barker
By: _____
M. Paul Barker
Reg. No. 32,013

MPB/DMP/lch
Enclosures

ATTORNEY DOCKET NO.: 07414.0075-00000

United States Patent Application of

ERNEST FRIEDLANDER, SHIRLEY JOHNSON, SABINE SHORT, H.
MICHAEL WENZ

METHODS AND COMPOSITION FOR DETECTING TARGETS

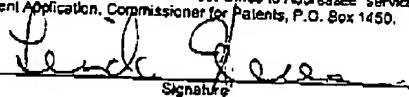
EXPRESS MAIL CERTIFICATE

"Express Mail" mail label number: EV 351294240 USDate of Deposit: October 23, 2003

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Linda Hanson

Printed Name


Signature

Methods and Composition for Detecting Targets

This application claims the benefit of U.S. Provisional Application Serial No. 60/421,035, filed October 23, 2002, and PCT International Application No. PCT/US02/33801, filed October 23, 2002, both of which are expressly
5 incorporated by reference herein.

I. Field of the Invention

[001] The invention relates to methods and compositions for the detection of targets in a sample.

II. Background

10 [002] The detection of the presence or absence of (or quantity of) one or more target sequences in a sample containing one or more target sequences is commonly practiced. For example, the detection of cancer and many infectious diseases, such as AIDS and hepatitis, routinely includes screening biological samples for the presence or absence of diagnostic nucleic acid
15 sequences. Also, detecting the presence or absence of nucleic acid sequences is often used in forensic science, paternity testing, genetic counseling, and organ transplantation.

[003] An organism's genetic makeup is determined by the genes contained within the genome of that organism. Genes are composed of long
20 strands or deoxyribonucleic acid (DNA) polymers that encode the information needed to make proteins. Properties, capabilities, and traits of an organism often are related to the types and amounts of proteins that are, or are not, being produced by that organism.